AFL-CIO Jobs March

Two thousand trade unionists took part in a march and rally in Los Angeles to demand immediate state and federal action to halt the depression. Union officials in the vanguard of the march included: Albin J. Gruhn, president of the California Labor Federation, AFL-CIO, (fifth from laft); Marl Young, secretary of Musicians Local 47; John F. Henning, executive officer of the California AFL-CIO; Hal Shean of the Machinists; William Gilbert, AFL-CIO regional director; Jerry Whipple, regional director of the United Auto Workers; Sigmund Arywitz, executive officer of the Los Angeles County Federation of Labor which sponsored the march; and Don Vial, newly appointed Director of the State Department of Industrial Relations. Vial was formerly director of the Center for Labor Research and Education at U.C. Berkeley.

In this issue of the University Guardian *(p. 2), the AFT points out the importance of labor affiliation for University of California faculty. Affiliation, says the AFT, is the basic way to create the economic conditions necessary for full employment.*

UNIVERSITY GUARDIAN

Volume 4, Number 3 Publication of The University Council - American Federation of Teachers WALLEN PRESS 102 June, 1975

What's ahead for bargaining bills?

The outlook is still favorable for passage of a public employee collective bargaining bill before the Legislature recesses on September 15. The road, however, has turned out to be more tortuous than expected.

On April 5 the Senate Committee on Government Organization narrowly passed SB 275 (Dills) by a 7-6 vote. To do so, it was necessary to make some major changes and to accept a series of controversial amendments.

Prior to the Committee vote, Senator Dills presented four major amendments to make the bill more acceptable to key labor and management groups:

1. All references to the right to strike by employees or lockouts by employers were eliminated.

2. The basis for enjoining strikes or lockouts on the ground that such action "imminently imperils public health or safety" was deleted.

3. The long impasse procedure mandating a fact-finding hearing where the recommendation would be advisory was also removed (except when a strike or lockout is enjoined in which case the fact-finding award would be binding on both parties).

4. Transit employees were taken out of the bill.

These changes were supported by both labor and management groups. Even though specific reference to the right to strike was taken out, most unions felt it was an acceptable compromise since several objectionable provisions were also removed.

In California there is no law specifically prohibiting the right to strike for public employees, except firefighters. There are court decisions which have for the most part taken the view that, in the absence of a statutory authorization, there is no right to strike. This, however, has not stopped numerous public employee strikes, and unions take the position that the right to withhold services is a constitutional right.

BETTER BILL

Despite some qualms about the elimination of references to strike, the general feeling is that it is a better bill without the cumbersome, time-consuming and expensive fact-finding procedure and compulsory arbitration. It would be up to the parties to decide whether to use a fact-finding procedure if the mandated mediation effort did not resolve an impasse, or even to agree to binding arbitration.

Labor was unanimous in calling for the removal of the transit workers from the bill. They were not in the Moretti bill, the precursor of SB 275. But after a long bus strike in Los Angeles last year, Senator Dills included them. It was argued public transit employees should be under the impasse procedures of SB 275. The transit unions argued that they would have less rights under the Dills bill than under present law applicable to the transit industry.

There was great concern that a legislative history which included the transit worker might broaden the basis for enjoining strikes. Although the LA bus strike created considerable hardship and affected public welfare, it could hardly be argued that it imminently imperiled public health and safety. But the consequence of bringing transit employees under the impasse procedures would tend to expand the basis for enjoining strikes beyond the public health and safety criteria.

The unions were not alone in wanting to change the impasse procedures. Public management groups vehemently opposed the fact-finding procedures and the possibility of compulsory arbitration. They made it clear that taking a strike is preferable to compulsory binding arbitration, even if limited to strikes imperiling health and safety.

AMENDMENTS

Other important amendments were adopted at the Committee hearing.

The student amendments were adopted by a wide majority. Basically they give student representatives in higher education the right to be observers at negotiation sessions and to present their views at appropriate times.

The UC Student Lobby has been successful in amending every higher education bill in the past several years to include one or another version of this amendment.

The student amendments have become part of the landscape of collective bargaining legislation, and it is unlikely that any bill will be passed without them. Increasingly there is the view that properly drafted amendments would create no insurmountable problems for the negotiating process. For example, the UC Student Lobby was willing to modify its proposal requiring student participation in grievances or contract administration, and participation in mediation because of the practical problems it would create.

The other major amendments adopted by the Committee were the so-called "sunshine" amendments. These require that union proposals shall be made public record as soon as they are sent to the employer, and that the employer shall not make a counter proposal until the public has a reasonable opportunity to comment on

(*Continued on page 8*)

Major changes in UC Retirement System

Major changes in the University of California Retirement System are under consideration. On May 8, 1975, the UCRS Governing Board reviewed a specific proposal to integrate UCRS with Social Security.

The first formal notice that the UC administration was considering coordinating with the federal Social Security System was a "progress report" by Vice President Robert L. Johnson which appeared in the April 14, 1975 *University Bulletin*. Johnson reported that the Regents, at their March, 1975 meeting, authorized President Hitch to study a possible plan for coordinating UCRS with Social Security.

Johnson said, "Until recently, the UCRS program has been able to maintain an advantage or at least parity with most other programs coordinated with Social Security.

"However, in 1973, Congress enacted dramatic changes in the Social Security benefit schedule and in 1975, added full inflationary protection for Social Security beneficiaries."

An actuarial consulting firm — Towers, Perrin, Forster and Crosby — was retained and in June 1974 the firm recommended that UC explore the possibility of coordination with Social Security for the following reasons:

* Social Security offers greater inflationary protection than is possible through an independent plan.
* Social Security benefits are not taxable income to recipients
* Medicare coverage
* Portability of benefit credits

Apparently the UC administration was already firmly committed to a coordination plan when they announced they were looking into coordination. They may have been influenced by some hints from the State Department of Finance which suggested that UC should integrate the retirement system with Social Security, just as the state's Public Employee Retirement System (PERS) has done. Otherwise, UC can not expect to get the increased appropriations needed to fund the UCRS's deficits.

The Johnson report, however, did not point out that the UCRS has a substantial unfunded actuarial liability depending on the actuarial method and assumption used.

(*Continued on page 8*)

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Editorial

The faculty's interest in AFL-CIO affiliation

As the job market declines and the economy inflates, more and more University of California faculty are expressing concern with the impact of the economic situation on higher education. Not only are graduates finding it difficult to find jobs commensurate with their education and aspirations, but the loss of revenue for the state government perpetuates the Reagan era budgets for the University of California.

Of all the groups in our society, no one is more committed or works more tirelessly for a full employment economy than the AFL-CIO and its affiliated unions. It is important for faculty, as well as other employees in higher education, to be affiliated with the AFL-CIO not out of abstract or romantic theory, but for good practical reasons. AFL-CIO affiliation is the most effective means we have to create the kind of economic conditions essential for a full employment economy. Without these conditions higher education is in serious trouble.

This does not mean that we support or have to support everything that President George Meany of the AFL-CIO says. The conventions of the American Federation of Teachers, for example, have sharply disagreed with Meany's views on foreign policy and Vietnam. As an AFL-CIO affiliate, the AFT has the autonomy to develop its own policies, just as the UC-AFT has the autonomy within the AFT to develop policies which reflect the views and interests of UC employees.

Sometimes it takes a crisis to make the essentials stand out clearly. In the most serious economic depression since the 1930s, we can better see the importance of labor affiliation and the importance of labor movement policies which are in the interests of higher education.

At the May 1975 meeting of the Regents, for example, Governor Brown, commenting on the adverse job market, suggested that perhaps UC and all higher education ought to consider limiting enrollment. Nothing could be more shortsighted.

In the same month, California Senators Alan Cranston and John Tunney voted against a budget hike of $9 billion to create jobs on the grounds that a larger federal deficit would be inflationary. Without mincing words, the AFL-CIO pointed out that Cranston and Tunney had voted "to keep millions unemployed for four more years."

The labor movement works for the kind of economic policies that will put the unemployed back to work in productive jobs to meet America's needs. If there is high unemployment and a stagnant economy, higher education will be a major casualty. In that event, we will look back on the Reagan budgets as a golden age of University growth.

AFL-CIO urges Congress— get America back to work

ON THE PROJECTED budget deficit for this coming year, the President puts a $60 billion limit and I understand that the House Budget Committee and the Senate Budget Committee put it up to maybe $65 billion or $67 billion.

This spells disaster. We have to face up to the fact that this country is big enough to take a $100 billion deficit. After all, this is a capitalistic system.

AT&T can go out and borrow $500 million and borrow it without any trouble at all. Why? Because they are a growing concern. They are a viable concern. They have assets. They do not sell off their assets when they need money. They go out and raise money.

Why shouldn't Uncle Sam do the same thing? Uncle Sam is a viable concern and this idea that we are going to be ruined by a budget deficit is absolutely ridiculous.

If we listened to the economists, Hitler would have won the war in 1941, 1942, 1943, because the economists said America could not afford to rearm itself and to rearm and supply our allies overseas and we had the greatest production miracle in the history of mankind financed by this government here, financed by the American people, with a huge deficit.

So, we can face a deficit. There is nothing sinful about a deficit, this is a part of our economy. This is the type of society that we live in. You live on borrowed money. You do not sell off your assets. We are not going to sell the national parks. We are not going to sell the great resources we have. We are going to go out and borrow from the American people.

In 1947 the gross national product was $219 billion and our national debt was $225 billion. Of course, this was the aftermath of the war.

In 1960, our gross national product was $495 billion and we owed $237 billion. In other words, 47 percent of our gross national product.

WE COME DOWN to today and the last figure we have as an estimate is the gross national product of 1974 of $1,348 billion, with a national debt of $346 billion. In other words, 25 percent.

So, we have come from 102 percent in '47, 89 percent in '48, 82 percent in '49, 83 percent in '50, and we are now down to 25 percent. We are much better off than we were in the last 20 years and still you get these people crying the only solution is to balance the budget.

The way to balance the budget is to put people back to work and get them paying taxes. That is the way to balance the budget.

The problem is not the budget and the budget deficit. The problem is the jobs. Get America back to work. Find out how much money you need to get these people back to work and then find out where to get the money and we can get it.

This is a very, very wealthy country. This country has tremendous resources and the idea that we cannot face a deficit or that we cannot raise the national debt to where it is to 50 percent of the gross national product when it was 100 percent of the gross national product 30 years ago, to me this is absolutely ridiculous.

—From testimony by AFL-CIO President George Meany before a House Public Works subcommittee.

Davis AFT calls for fair tenure policies

Representatives of the American Federation of Teachers at the University of California, Davis, met with University representatives on April 10 to propose improvements in personnel procedures that would assure fairer treatment of faculty while continuing to maintain high academic standards in appointments and promotions.

The UCD administration was represented by Hubert Heitman, Assistant to the Vice Chancellor for Academic Affairs, and Personnel Officer Dennis Shimek. Professor Donald Arnstine (Education), President of the Davis AFT, headed a union negotiating team that included Prof. William Bowsky (History), Prof. Ruth Dixon (Sociology), and Prof. Paul Goodman (History).

Arnstine said, that while existing procedures have worked well in most cases, there remains substantial room for improvement. The AFT, responding to defects in current procedures as revealed by individual cases during the past several years, held a series of membership meetings in the fall and winter quarters to hammer out a set of proposals.

Major recommendations, adopted overwhelmingly by a mail ballot of the union membership, include the following:

* Candidates for appraisal, promotion, or merit increase shall have access to a copy of their Department's recommendation to the Dean prior to its being sent forward. Arnstine pointed out that this procedure would protect confidentiality, and also provide candidates with the reasons upon which an evaluation rests. It would enable them, if they wished, to provide the Ad Hoc and Budget Committees with a rebuttal.

Prof. Heitman noted that at present the Administration prefers Department letters not include names of individuals and that many Departments regularly follow this practice.

* The Chancellor shall inform candidates in writing by May 1st of the precise reasons for denying a promotion or merit increase. At present, Arnstine said, individuals do not have the right to know in detail the reasons for a denial of promotion. Current UC policy permits Chancellors to provide reasons, but their letters tend to be vague and uninformative.

The Administration spokesman thought it might be difficult to meet a May 1 deadline. A union spokesman noted that in the mid-1960s promotions were usually announced in early April at a time when Departments were not required, as they are now, to make promotion recommendations by October 31.

* In cases in which the Chancellor rejects a positive recommendation by the Budget Committee, the candidate or the Committee may request a review by an Appeals Committee, drawn from other UC campuses if necessary. The Committee is to be nominated by the Budget Committee and appointed by the Chancellor.

Arnstine noted that the lack of opportunity to appeal the Chancellor's decision on substantive grounds places excessive authority in the hands of the Administration. At Davis there is no way to appeal a negative decision by the Chancellor on the merits of a candidate since the Academic Senate's Committee on Privilege and Tenure considers only questions of procedural violations. There is precedent, however, for an appeals procedure of this sort. One exists, for example, at UC Irvine.

* The AFT also demanded that the University inform Assistant Professors in writing, at the time of hiring and each subsequent fall, of their position on the tenure time-clock, when they come up for appraisal and tenure review and how much sabbatical time they have accumulated.

Arnstine explained that the Administration's occasional failure to inform junior faculty about where they stand has resulted in premature and unfair evaluation procedures. Heitman said the Administration is currently discussing improved procedures for informing faculty of their tenure position.

Professor Arnstine observed that most of the changes proposed by the AFT could be implemented by Chancellor Meyer without approval by higher authority. The Administration spokesmen agreed they would try to respond to the union's proposals by May 1.

However, the UC Davis Administration subsequently refused to reply to the AFT proposals, or to agree to further meetings. As a result AFT representatives, on May 26, called for a legislative inquiry into the personnel practices of the Davis Administration.

(Text of AFT proposals on page 3)

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UC-AFT is a council of AFT locals representing faculty and academic employees at the University of California: Local 1474 / Berkeley; Local 1795 / Berkeley and S.F. librarians; Local 1966 / Riverside; Local 1990 / UCLA; Local 2023 / Davis; Local 2034 / San Diego; Local 2141 / San Barbara; Local 2199 / Santa Cruz; Local 2226 / Irvine.

Is the Administration applying tenure quotas?

By PAUL GOODMAN

An assistant professor, unanimously and strongly recommended for tenure by his department on one of UC's medium-size campuses, was rejected by the Budget Committee whose views were sustained by the Chancellor.

The department was puzzled. Its reputation for academic excellence was well known on the campus. In at least a decade, no tenure recommendation from this department had been turned down. And, in this case, the department did not imagine there would be difficulty, so solid was the scholarly and teaching record. The Vice Chancellor informed the disappointed candidate that perhaps one book was not sufficient to earn tenure, despite past practice on the campus.

At one of the University's large campuses, another assistant professor, this time with the support of a substantial majority of the tenured faculty, including some of the nation's most illustrious social scientists, was denied tenure by the administration, sustaining a negative recommendation by the Budget Committee. The result outraged some members of the department, deeply disturbed others and yet nothing could be done to reverse the administration's error.

In both cases, in my opinion, the departments were clearly right and the Budget Committees and Chancellors wrong. In each there were unique elements but neither were borderline cases where one might have expected competent professional differences of opinion. And, in both cases, the Chancellors, if they had been worth their salt, would have had the sense to sustain the considered, solidly based recommendations of the departments. Instead they chose to deny tenure.

Two cases hardly form a pattern. Moreover, only a few have access to most of the relevant information, and they are not sharing it. These two cases, however, suggest that an informal tenure quota system is being applied, a system that denies advancement to individuals who by any reasonable judgment have met the University's standards for promotion to tenure.

QUIET QUOTAS

One way of imposing tenure quotas quietly, informally and without changing the rules is to escalate academic standards in selected cases and to apply arbitrary, unrealistic performance requirements that will limit the size of the tenured faculty. Another is to declare unworthy of tenure the assistant professor whose dissertation quickly emerged as a book but who had not yet completed another when the tenure decision was made.

On one campus an ad hoc committee opposed promotion because the book was too similar to the dissertation. The important question, in this case, should have been the quality of the research and the promise of scholarly development. According to this strange standard, the assistant professor who labors six to eight years to make a book out of a dissertation will fare better than one whose dissertation requires little additional research and revision before publication.

If, in fact, informal tenure quotas are emerging, the UC administration's failure in recent years to establish a "revolving door" for junior faulty may explain why. Four years ago the UC administration in revising Section 52 — that section of the Policies and Procedures Manual which sets forth the procedures and standards for advancement for faculty — attempted to introduce a revolving door that would have permitted the University to fire assistant professors regardless of merit. That effort failed, owing largely to united faculty opposition, sparked by the AFT, which alerted Senate committees to the danger. This spring, the Wedding Report reaffirmed the faculty's opposition to tenure quotas and the revolving door.

The UC administration pulled back and withdrew its explicit attack on the ladder system of advancement at the University of California. But it may not have given up its intention to limit, by other means, the size of the tenured staff.

REVOLVING DOOR

Indeed, at the All Faculty Conference in 1973, President-designate David Saxon tried his best, in an impassioned plea at the final plenary session, to reverse the overwhelming sentiment against the revolving door. He failed but one wonders if in the period since then, administrators, assisted by elements in the faculty, have begun to employ more subtle means of imposing tenure quotas.

One wonders, for example, if administrators seize opportunities (where there are differences of opinions with the peer group review process) to decide almost always against the candidate, instead of carefully assessing the merits of each case to assure that the University of California does not lose the services of fine, young scholars whose work may stir conflicting evaluations.

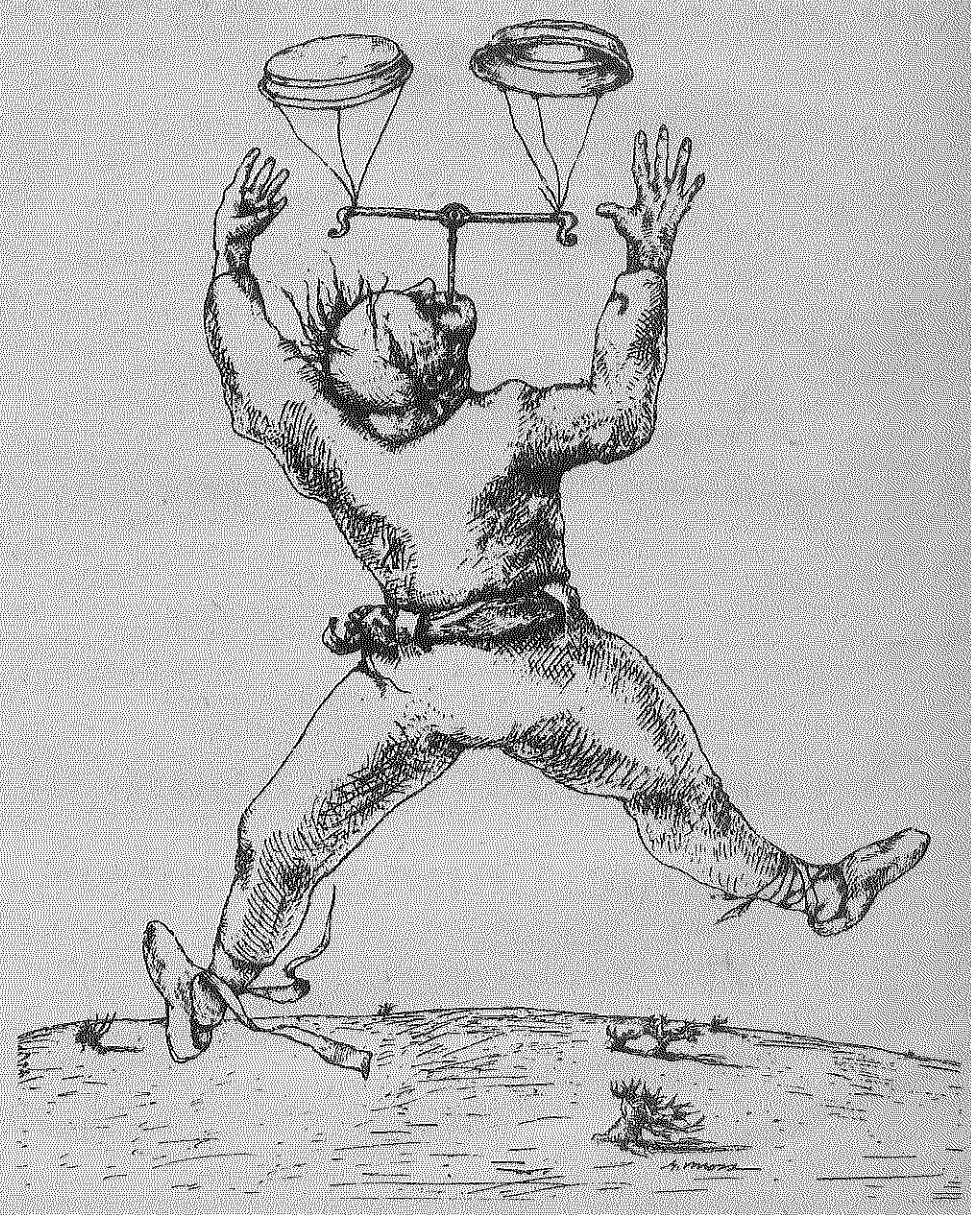


ILLUSTRATION FOR THE CHRONICLE BY GEOFFREY MOSS

Administrators at UC have longed for tenure quotas, as have many of their counterparts across the country. They have done so, in part, because they want greater flexibility in the deployment of faculty positions. A large pool of non-tenured faculty, to whom the University has no commitment, regardless of the individual's performance, allows such flexibility. A revolving door is also an economy. Assistant professors, of course, are paid less than tenured faculty.

Some have also justified tenure quotas as necessary to assure faculty renewal. However, it is difficult to understand how firing able junior faculty who have met the University's standards for tenure, renews the faculty with young blood and fresh ideas. In any event, the Ellis Report at the All Faculty Conference in 1973 demonstrated that neither tenure quotas nor a revolving door are necessary to provide substantial opportunities for faculty renewal, if more tenured faculty who leave UC's service are replaced by junior faculty.

SECRECY

Time will tell whether informal tenure quotas are being imposed through the escalation of standards and the decision to terminate most individuals whose work generates differences of opinion within the review system. Yet one thing is certain: an atmosphere of fear and unpredictability surrounds the tenure decision.

Today some departments feel it tactically prudent to hold back candidates they would prefer sending forward on their merits. They try to second-guess how a system shrouded in secrecy will treat a particular case. Today, also, departments can no longer count on vice chancellors to sustain their recommendations against ad hoc and budget committees which have clearly strayed.

Finally, there is a great danger that some faculty will aid the administration in imposing informal tenure quotas by raising unprofessional objections to candidates or making incompetent judgments of scholarly performance. Poorly or improperly constituted ad hoc committees may contain individuals biased against a candidate's research ideology. These individuals may allow their own research preferences to prejudice their evaluations of the quality of another colleague's work, and this will lead almost certainly to fatal consequences.

MEAN SPIRIT

Given the no-growth or slow-growth mentality that pervades much of academia, there may be an increasing danger that unrealistic expectations, scholarly bigotry and sheer meanness of spirit, masquerading behind a concern for high academic standards, will bring an increasing percentage of conflicting recommendations. This will help administrators to impose tenure quotas by the back door.

In this uncertain atmosphere a bargaining process may be developing. Budget committees or administrators who are inclined to overturn a department recommendation, yet realize they are on shaky ground in a particular case, should sound out department chairpersons to learn if they will have a fight on their hands before they make a decision.

In a disturbing number of cases individuals are receiving delayed promotions for reasons difficult to fathom. For, if a person has been deemed worthy of a tenure promotion, why should he or she be held back a year unless the administration is engaging in an unconscionable form of penny-pinching or is seeking to indicate in some tangible, albeit nasty and petty way, its displeasure with the numbers of tenure promotions it feels unable to stop?

Text of AFT tenure proposal

1. In cases of appraisal, promotion, or merit increase, a copy of the Department's recommendation to the Dean is to be made available to the candidate at least two weeks prior to its submission to the Dean.

2. The candidate may reply in writing to the Department's recommendation, and the Department is to consider this reply before submitting its recommendation. The candidate may attach a reply to the Department's recommendation.

3. The Chancellor shall inform candidates in writing of the precise reasons for denying a promotion or merit increase. Notification shall be given by May 1. A copy of the Chancellor's letter to the candidate will also be forwarded to the Budget Committee.

4. Upon request, candidates for promotion or merit increases will receive in writing the judgments and the principal arguments supporting those judgments of the Ad Hoc and the Budget Committees, after the Budget Committee has acted.

5. If the Chancellor rejects the recommendation of the Budget Committee, the candidate or the Budget Committee may request a review by an Appeals Committee, drawn from other UC campuses if necessary, to be nominated by the Budget Committee and appointed by the Chancellor.

6. In the case of appraisals, the Budget Committee shall send a copy of the appraisal to the candidate as well as to the Chancellor. The Chancellor may send his own letter to the candidate if his views differ from those of the Budget Committee.

7. Assistant Professors shall be informed in writing, at the time of hiring and each subsequent fall, where they stand on the tenure timeclock, when they come up for appraisal and tenure review, and how much sabbatical time they have accumulated.

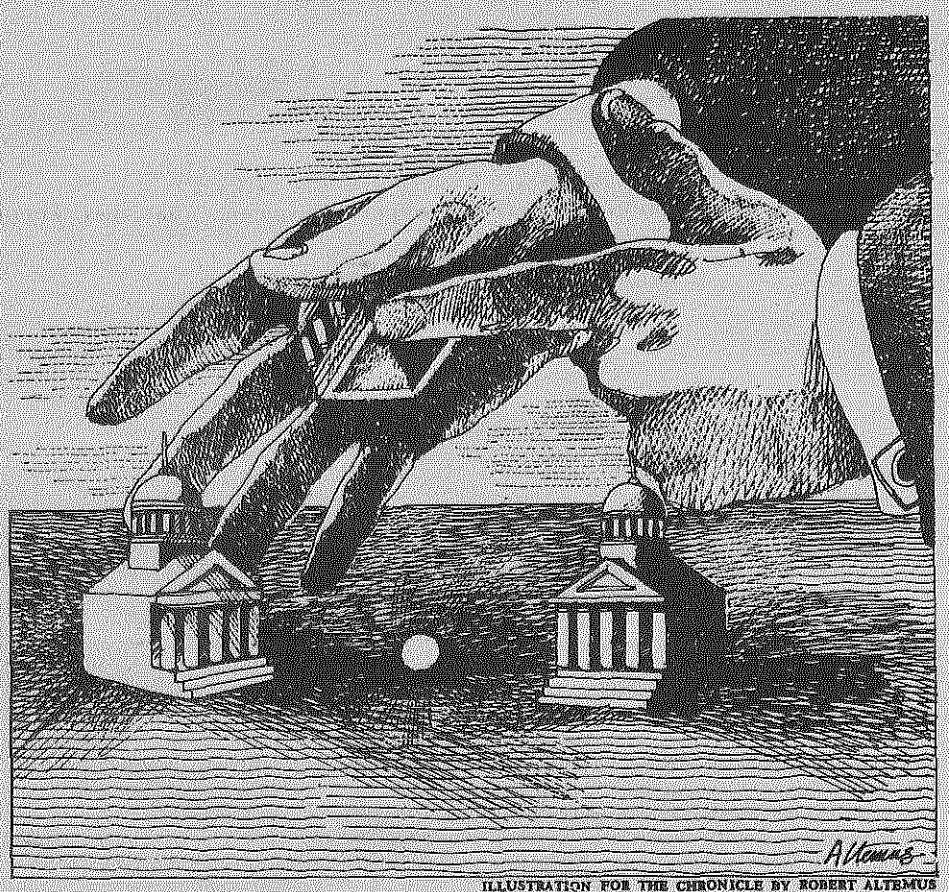


ILLUSTRATION FOR THE CHRONICLE BY ROBERT ALTEMUS

A call for investigation of Academic Council leaders

The UC-AFT has called for an Academic Senate investigation of the lobbying activities of Alexei Maradudin and David Wilson, Chairman and Vice Chairman of the Academic Council. Professors Maradudin and Wilson in recent months have engaged in extensive lobbying in Sacramento to influence collective bargaining legislation.

Professor James Flink, UC-AFT President-Elect, on May 30, 1975, wrote to the Interdivisional Committee on Privilege and Tenure, the Committee on Rules and Jurisdiction and the University Welfare Committee asking them to investigate Maradudin and Wilson's lobbying activities and to report back to Senate members through their divisional committees.

In December 1974, the Academic Council created a subcommittee, chaired by Professor Archie Kleingartner of UCLA, to develop recommendations on collective bargaining legislation for the Council. The Council met on several occasions with UC administration to work out a common policy and approach on pending legislation. One such meeting, in which there was a detailed discussion of legislative proposals and strategy, took place on February 21 with the UC administration's Employee Relations Committee.

Maradudin and Wilson did not bring these matters to the Academic Assembly nor the divisions on each campus for discussion. As a matter of fact, Maradudin cancelled the March 1975 Academic Assembly meeting on the grounds there was nothing important to consider at the same time he was presenting testimony to a legislative hearing on SB 275.

Flink's letter, which appears on page 4, points out that, while the Academic Council officers may testify on legislative matters when requested by the President on behalf of the University, Senate By-Laws do not authorize the kind of lobbying Maradudin and Wilson have engaged in.

In these various activities, the Academic Council officers led others to believe they were presenting the views of the Academic Senate when in fact such consultation was virtually non-existant. The Academic Council consists of only 14 members; the division chairpersons, the chairpersons of several interdivisional committees and the Council officers.

MEMBERSHIP APPLICATION

AMERICAN FEDERATION OF TEACHERS

The Union for Faculty, and Academic Employees at the University of California

I wish to join the American Federation of Teachers and agree to pay dues as follows:

AFT dues at the University of California are ¾ of 1% of gross UC salaries, with a minimum of $4.00 a month and a maximum of $15.00 a month.

Name _____

Campus _____

Home Address _____

City _____ Zip Code _____

Department _____

Campus Phone _____

Signature _____

Rank _____ Date _____

Return to? University Council—AFT
2527 Dwight Way
Berkeley, Ca. 94704

Political lobbying by Academic Council leaders

To: Interdivisional Committees on Privilege and Tenure, Rules and Jurisdiction and University Welfare

Dear Colleagues:

I wish to inform you that Professor Alexei A. Maradudin, Chairman of the Academic Council, and Professor David A. Wilson, Vice-Chairman of the Academic Council, have been attempting, in their capacities as Council officers, to influence the nature of collective bargaining legislation currently being considered by the California Legislature.

Testimony favoring a collective bargaining bill for public employees, consistent with positions adopted by a majority of the Academic Council, was presented as representing the Academic Senate's views to the Government Operations Committee of the State Senate on March 18, 1975, and to the Public Employees and Retirement Committee of the State Assembly on May 7, 1975.

On April 29, Maradudin and Wilson also participated in a closed meeting of representatives of higher education employees' organizations and legislative assistants to consider proposed amendments to SB275. They claimed at that meeting to represent the views of the Academic Senate and backed three very controversial amendments effecting unit determination (two of which are given in Maradudin's March 18 testimony).

Maradudin and Wilson, on behalf of the Academic Senate, met with legislators and legislative assistants in liaison meetings with UC and other employee organizations to work out joint positions and strategies.

Maradudin and Wilson also met with the UC Administration, specifically the Employee Relations Committee on Friday, Feb. 21, 1975, to work out common positions and strategies.

The propriety of this behavior is, to say the least, questionable. No one can doubt that the Academic Council had the authority to develop a position on collective bargaining in order to advise the President of the University. Nor is there any doubt that Council officers have the right to testify before the Legislature on matters affecting the University *when requested by the President* on behalf of the University.

NO RIGHT

However, Academic Senate By-Law 80(B) — which defines the powers and responsibilities of the Academic Council — explicitly states that "The Academic Council has *only* the power enumerated in these By-Laws" (italics mine). No By-Law can reasonably be construed to give Council officers the right to engage in political lobbying on behalf of the Academic Senate or to attempt to influence the nature of collective bargaining legislation.

As a matter of fact, because the Academic Senate is funded by tax monies appropriated by the State Legislature, the Academic Senate, its agencies or agents *cannot* act as an employees' organization for the purpose of collective bargaining — including the critical activity of engaging in political lobbying to shape collective bargaining legislation. Indeed, the recognition by several Academic Senate Divisions that it would be illegal for the Senate to engage in such activities has been the reason for the formation of independent faculty associations to shape collective bargaining legislation.

The extent to which Maradudin and Wilson lobbied to shape collective bargaining legislation is still not known to the Senate membership, and the Senate membership was first informed of the specifics of the Council's position on collective bargaining in a memo from Maradudin (with his March 18 testimony attached) dated May 5, 1975. This memo also constitutes the first Council request for comments on the Council position. Senate members were thus asked for their opinions *after* Maradudin and Wilson had testified and otherwise led legislators to believe that the Council views were those of the Senate.

Senate members opposed to collective bargaining, as well as those who held opinions about the specifics of collective bargaining that differed from the Council position, were thus denied the opportunity to respond to the Council position before Maradudin and Wilson testified on behalf of the Academic Senate at two Legislative hearings. This can reasonably be construed to be an infringement of the privileges and rights of these Senate members as indicated in the Academic Senate's ethical code.

Maradudin contended in his March 18 testimony that "What I have to say reflects considered opinion of the Academic Council members who have in turn consulted with their various constituencies." But the truth is that consultation was eclectic, sparse and not binding on the Council members. The Irvine Division, for example, had a discussion limited to 30 minutes on those positions the chairperson announced he would support. And other Divisions could not take action on the positions of their chairpersons because such matters were not and are not actionable matters within the legal scope of Senate authority.

The Council position also differed significantly on key questions from the special Council sub-committee's stance on collective bargaining outlined by its chairperson, Professor Archie Kleingartner, at a special meeting of the Irvine Division held on January 24, 1975. The Academic Assembly has not yet met to discuss the Council position and such a discussion was not on the May 29 agenda.

The political lobbying that has been conducted by Maradudin and Wilson cannot be considered a neutral act from the perspective of those Academic Senate members who are UC-AFT members, or those who may be against collective bargaining. These Senate members have every right to expect that the Academic Senate remain neutral about matters beyond its proper jurisdiction and over matters about which Senate members are currently sharply divided.

For all of these reasons, I respectfully request that the Interdivisional Committee on Privilege and Tenure, the Interdivisional Committee on Rules and Jurisdiction and the Interdivisional Committee on University Welfare immediately investigate to determine if the efforts of Professors Maradudin and Wilson to shape collective bargaining legislation exceed their authority and infringe on the privileges of Senate members. And, I also respectfully request that the results of these investigations be promptly communicated to the Senate membership through their Divisional Committees.

Sincerely,
James Flink,
Professor of Comparative Culture,
UC Irvine,
Presdent-Elect, UC-AFT

The Academic Council statement on collective bargaining

Academic Governance: Myth and Reality

To: Alexei A. Maradudin,
Chairman of the Academic Council

Dear Professor Maradudin:

I read with interest your statement on behalf of the Academic Council on collective bargaining legislation now pending in Sacramento. I want to commend you and the Council for several portions of the testimony, especially your concern that collective bargaining not diminish the faculty's role in governance and disrupt collegial relationships within departments by excluding chairpersons and other colleagues from the bargaining unit.

I write, however, because the statement fails to recognize that there exist serious and widespread differences within the faculty over the adequacy of present governance mechanisms. The statement characterizes the present governance system as one of shared authority or shared governance. Yet we all know that the Senate has no independent authority, that it can only recommend, and its consultative rights can be modified or even abolished by Regental action at any time.

To characterize, as "shared authority" or shared governance a system whereby faculty make recommendations, which may or may not be accepted by those who possess a monopoly of authority in the University of California, is preposterous. To be sure, the system has worked as well as it has because of informal relationships between administrators and faculty which have tended to minimize head-on collisions.

But let us not forget the lessons of the past that revealed the powerlessness of the Senate: the imposition of the Loyalty Oath, the violations of Academic Freedom at UCLA in the mid-1960s, the rejection of the Berkeley Division's decision to end academic credit for ROTC and the personnel decisions in which the Administration has overruled the predominant sentiment emerging from the process of peer group review.

I recognize that many members of the Senate, especially persons who have played a leadership role, accept the ideology of the Senate as part of a system of shared governance. But let us be frank enough to recognize that it is an ideology and that the Regents and the Administration have a great stake in preserving the ideology if only to maintain their final authority.

WHO'S BOSS?

I believe that hundreds of members of the Senate share my view that the existing mechanism of faculty governance is inadequate and that collective bargaining offers us an opportunity to redistribute power in the University so that we really do enjoy shared authority with the Administration. I think that the Academic Council has an obligation to at least acknowledge that the faculty is not of one mind on this subject. Several thousand members of the faculty have joined faculty organizations, many because they recognize that the Regents and Administration cannot be relied on to govern this University with due respect for faculty opinions let alone faculty welfare or the welfare of the educational and scholarly enterprise as many faculty perceive it.

Despite the lip service it pays to the ideology of shared governance the Administration has no illusions about who's the boss. That became clear when the Administration, during the previous academic year, defined chairpersons and other faculty as managerial personnel in anticipation of a collective bargaining law. The definition also excluded chairpersons from the unit, thereby undercutting collegiality.

I share with you the hope that what is best in the University of California today can be compatible with collective bargaining. But I also hope, and I believe many of my colleagues share that hope, that grave defects in the University can be reformed through the new authority the members of the Senate can acquire under collective bargaining. For that reason, we should not favor limitations of the scope of bargaining, especially considering the precarious legal position of the Senate. We should also not assume, if educational and personnel matters are subject to bargaining, it follows that a bargaining agent will decide how decisions in these areas would be made.

I have not encountered any substantial body of opinion in the University, certainly not among the members of the American Federation of Teachers (which has been the strongest proponent of collective bargaining for faculty), that a union should decide personnel and educational policy questions. A collective bargaining agreement, however, if these issues remain bargainable, could establish the authority of the Senate in law and provide that Senate recommendations may not be subject to an absolute veto as is now the case. That is, mechanisms can be created through collective bargaining which will, for the first time, give the Senate shared *authority*, and make it more than a consultative body.

WHOSE INTERESTS?

As we move into a decade which promises more tight University budgets, the interests of the faculty are bound to become more closely tied to the budget-making and resource allocation decisions which are now almost the exclusive prerogative of the Administration. Moreover, we are already beginning to experience a deterioration of faculty-administration relations on a wide range of issues. You will recall that Senate leadership last year was most unhappy with the McCorkle growth plan, and that its criticism anticipated many of Governor Brown's sharp words. You will also recall that the Administration has ignored most of the important recommendations of the Ellis Report to improve personnel procedures. These were overwhelmingly approved at the All Faculty Conference in 1973.

I also suspect that we will face in the future, if it is not happening already, the prospect of informally imposed tenure quotas by the Administration. It can be expected the Senate will reject these quotas which will lead to more frequent conflicts between faculty and Administration over appointments to tenure. For these and other reasons, it would be most unwise to limit the scope of bargaining. I have confidence that our colleagues, once they have the power to bargain over non-monetary issues, will use that power responsibly as scholars and teachers. I would hope the Council shared that confidence.

Let us, finally, not be misled by simplistic notions, much favored by UC administrators and others, to prejudice people against collective bargaining. These notions hold that the industrial model (unless due precautions are made in the legislation), will, perforce, be imposed on the University. Collective bargaining is merely a mechanism for bringing about joint decision-making between employees and employers. How groups of employees use it depends largely on their traditions, their goals and their values.

If we are afraid that collective bargaining will weaken the University, then in all candor let us acknowledge that we are really afraid of our colleagues, suspicious that they would use their new-won power not to strengthen the University of California, but to weaken it. Those who wish to preserve the existing system of governance are voting, so to speak, to keep ultimate decision-making authority in the hands of the Regents and Administration, placing greater trust in them than in their colleagues.

I would like to see a more open and widespread discussion of these and other issues the Senate membership faces than has occurred so far. Discussions and decisions by a handful of Senate leaders at the top is not sufficient in a matter of this kind. The cancellation of the March meeting of the Academic Council, just prior to the Senate hearing on SB 275, does not suggest that such discussions are welcome. The appearance of a representative of the Council to talk about the bill at a "town meeting" of the Davis Division was similarly disappointing, for the speaker gave an endless elementary lecture that bored many who came with questions, was misinformed on important matters and gave a biased presentation. In stimulating further discussion, opportunities should be made to present different points of view. The Senate is not a monolith on this matter and to pretend otherwise is a mistake.

Sincerely,
Paul Goodman
Professor of History

Teachers qualify for unemployment pay

Teachers who have not been assured a teaching job beginning in September are eligible for unemployment insurance as a result of legislation supported by the AFT Legislative Department and signed by President Ford in December, 1974.

Recent decisions in hearings on payment of unemployment insurance of teachers have established that faculty are eligible for unemployment payments as soon as they are through working.

Part-time and temporary faculty have been eligible for State Unemployment Insurance along with regular faculty since January 1, 1972. To be eligible, one must have worked for the UC system, or in other covered employment, and have earned a minimum of $750.00 during the base period (the year preceding the calendar quarter when the claim is filed). Maximum payments are $90.00 weekly.

Benefits are usually paid for a period of 26 weeks, but can be extended for another 13 weeks if the state unemployment level is over 6%. An Emergency Unemployment Compensation Act, passed by Congress this January, provides up to 13 additional weeks of coverage for workers who have exhausted the 39 week period.

Applicants who have been discharged for misconduct or who refuse to accept suitable job offers will be disqualified.

UC-AFT elects new state officers

James Flink, Professor of Comparative Culture at UC Irvine, was elected UC-AFT President at the State Council meeting on May 23 in San Francisco.

Northern Vice President will be Paul Goodman, Professor of History at UC Davis. Joyce Toscan, a librarian at the Institute of Industrial Relations, UCLA, is the Southern Vice President.

The officer slate also includes Oswaldo Asturias, a supervisor of teacher education at UC Berkeley, as Treasurer; and Philip Hoehn, a librarian at the UC Berkeley Bancroft Library, as Council Secretary.

Spencer Olin, past UC-AFT President, was elected to the California Federation of Teachers Executive Board at the CFT convention in San Francisco on the Memorial Day weekend. Olin received the second highest vote for one of the 16 CFT vice president positions.

Professor Flink was also elected UC-AFT delegate to the AFT convention to be held in Hawaii on July 10-15.

UC Administration sprawl: a correction

The article on the growth of administrative positions at the University of California in the February 1975 issue contained an error in Table 1. Reproduced below is the corrected table which summarized the UC-wide data.

It shows that central administration positions increased by 53.7% in 1972-73 over 1966-67 while student enrollment went up by only 34.0% and the nine campus increase in departmental instructional and research faculty increased by 27.9%. University Hall administrative staff, therefore, increased 2-1/2 times faster than campus administrative staff during this same period.

TABLE 1. Growth in FTE, University of California 1966-1967/1972-1973 by Budget Categories*

	No. of Positions		Budget		% Increase			Students per FTE	
	1966-67	1972-73	1966-67	1972-73	Positions	Budget	Students	1966-67	1972-73
University Administration — Statewide	275.82	423.9	$ 3,013,119	$ 6,635,619	53.7%	12.0%	34.0%	305	267
Nine Campus Totals									
General Administration	1,455.9	1,752.2	12,228,474	20,016,514	21.4	63.7	34.0	57.9	64.7
Student Services	1,507.36	2,329.8	10,761,876	22,050,518	54.6%	104.8%		55.9	48.7
Instructional Dept. Research	11,116.52	14,218.7	106,841,655	195,233,363	27.9%	82.7%		7.6	8.0
Organized Research	3,006.9	2,802.1	27,411,501	34,978,961	—7.8%	27.6%		28.0	40.8
Libraries	1,602.7	2,159.3	9,918,384	18,227,555	34.7%	83.7%		52.6	52.5

*Source: State of California, *Salaries & Wages Supplement*, 1966, 1967, pp. 53-259; 1974-1975, pp. 500-672

Are the smaller UC campuses in danger?

The report of Academic Senate's Committee on Long Range Educational Objectives and Academic Planning is coming before the General Council at their end of May meeting. The Committee, chaired by Randolph Wedding (Riverside), worked on the report for three years. Its recommendations, if implemented, would result in a significant redistribution of faculty resources and academic programs and in the subordination of some of the campuses. Furthermore, the decision-making role of the faculty would be highly curtailed.

Following is a statement adopted by the Santa Barbara division of the Academic Senate at a special meeting convened to respond to the Wedding report. The Santa Barbara local of the UC-AFT endorses the recommendations expressed in the division statement.

In endorsing the above recommendations, we do not, of course, imply any support for the preservation of the status quo. *We reaffirm the principle of faculty governance in University affairs.*

ILLUSTRATION FOR THE CHRONICLE BY JERRY DAVIS

May 12, 1975
Members of the Assembly
Academic Senate
University of California

Colleagues:

The Santa Barbara Division of the Academic Senate takes the following position on the FINAL REPORT of the Senate's Committee on Long Range Educational Objectives and Academic Planning.

There is need, as the REPORT recommends, for a greater sharing and coordination of programs, faculty and resources than is at present the case; for enhancing the role of the Academic Senate in University affairs; and for exploring a number of major educational issues of perennial concern.

We believe, however, that the REPORT's central assertions and resolutions reflect a serious misreading of the University's situation, and the challenges which now lie before us. In brief, the FINAL REPORT assumes that the smaller campuses are not viable universities and must share resources with the two larger campuses. On this ground it calls for transforming the smaller campuses into specialized institutions.

Our reading of the University's situation is different. The University of California has created a community of universities devoted to research and teaching that comprises, in effect, an Ivy League of its own. It is the preservation and enhancement of this accomplishment, rather than its dismantling, which constitutes the challenge of the coming years. This community of universities offers to the people of California the many educational advantages which arise from variety of form, differences in size and situation, particularities of campus mood and character, and the diverse intellectual atmospheres created by varying faculties. Each campus is a national university, drawing students and staff from the nation and the world. Disposed over a distance of territory equivalent to that between Massachusetts and North Carolina, these campuses constitute a federation of universities, rather than a unitary institution.

SIZE AND QUALITY

The two larger campuses, Berkeley and Los Angeles, provide superb realizations of the values and commitments which must underlie the creation of distinguished universities. However, we reject the principle, frequently stated and implied in the FINAL REPORT, that large size is an essential element of quality. The smaller campuses range in enrollment from 5,000 to roughly 15,000 students, and we note that universities such as Princeton, Chicago and Cornell have achieved distinguished standing though similarly situated.

The costs of "specialization" will be ruinous. The proposals involved in carrying it out have been studied intensively over the past half dozen years, in one forum or another, either administrative or Senatorial, and in this process a whole sequence of fundamental difficulties have emerged which the report ignores. The heavy and continuous interchanges of faculty members and resources required to remedy each campus's deficiencies would create financial burdens likely to outweigh any supposed savings created by trimming programs.

There will be inevitable and wasteful frictions arising from the presence on each campus of second-class faculty members who will not, in these circumstances, be enabled to carry on research at a level appropriate to a University of California faculty member. Similarly, the "specialized" campuses will inescapably be thought of as in secondary position, making it less possible for them to attract outstanding faculty.

The effect on the autonomy of the departments on the larger campuses will be harmful, for such plans could require them to take students in numbers which they do not desire.

Furthermore, our claim to distinctive levels of support from the State of California relies upon the principle that good students are best educated when in the presence of a creative faculty. If that claim can no longer be made, the question will be asked, why provide the funds at the level traditionally appropriated?

The reputation of an entire campus is necessarily linked to that of all the programs on the campus. Because of this, and from the programs eliminated, losses in enrollment would occur. Experience with redirection reveals that only a portion of those students deciding not to enroll at a given campus will enroll elsewhere within the University system. Indeed, with two or more campuses at their enrollment ceilings, it will be in fact impossible for such students to follow programs to the larger campuses. If only a fraction of the students choose not to attend a University campus and go to other institutions, the effects upon the University's budget — which is linked to enrollment — could be devastating. If a campus is known as second-class, save for one or two academic areas, many of the better students will simply not enroll for studies.

FACULTY MORALE

Faculty morale on the smaller campuses was the crucial component in the emergence of those campuses as vigorous institutions with reasonable expectations of national distinction. Talented faculty members joined us because each campus was encouraged to evolve as its own inner spirit and talents inclined it so to do, within the resources that were available. The designation "general campus" did not carry with it the notion of copying Berkeley, as the Santa Cruz, Irvine and San Diego campuses clearly indicate. What it carried was the encouragement that there were no prior restraints on the direction of the campus's evolution, provided it could prove its case for the particular program recommended.

It will be quite a different matter in the future to keep the same morale, to enlist the same initiatives and attract the same kind of faculty members to campuses whose "general" status has been replaced by that of "specialized."

In the course of events, a natural specialization of effort among the campuses has emerged. However, this condition has grown in large part out of local choices, locally generated and out of a long sequence of decisions in which each proposal was considered on its own merits. We doubt the ability of any committee to work up such monumental plans as those called for in the FINAL REPORT. To establish the "critical mass" in one academic program would be exceedingly difficult — if, indeed, it is possible or even desirable — and to seek to do so in hundreds of them is impossible. To work up a "basic list" of undergraduate majors is an effort certain to fail.

Radical surgery is never justified save by radical conditions. The condition of most of the campuses in the University is one of health and interesting prospects. They are able to anticipate continued reasonable growth and academic evolution for some years into the future. That this growth is no longer in the avalanche proportions of the 1960s and will not lead to enrollments like that on the two larger campuses, is not a source of dismay but of relief. If there are special problems related to particular campuses, we believe they should be ministered to by special means.

Such an enhanced centralization as the FINAL REPORT calls for can only result in a diminution of Senate involvement in University governance. The faculty live and work hundreds of miles from University Hall in most cases, and no more than a tiny fraction of its number can participate effectively in centralized decisions. We seriously doubt the ability of a small committee to compensate appropriately for this lack of involvement. Increased centralization will only mean that more of the essential academic decisions of the University will be made by persons far removed from the daily teaching and research lives of the campuses.

REAL CHALLENGE

The real challenge in the future is not one that calls for the University to begin dismantling the smaller campuses. Rather it is one that calls for everything conceivable being done to insure their continued evolution as confident members of the University community, within the resources which are annually made available by the Governor and the Legislature. A sound academic plan should describe measures by which the University can keep its smaller campuses places of academic strength and high morale, not simply for now, but for the decades ahead.

Within the next several years, a milestone will be reached: the University's smaller campuses will enroll a majority of its students. This is, indeed, an essential element in the University's long range plans, for otherwise the two large campuses will have to grow into enormous institutions. If, however, the smaller campuses are required to divest themselves of programs and are prevented from entering new ones, their capacity to take their share of future enrollment will be significantly reduced.

Rejection of the central principles of the FINAL REPORT is called for in the present circumstance. Mere reference of all resolutions to committees for further study will open the way for other State agencies to act upon the supposition that eventual approval is a practical, perhaps even predictable, possibility. Some may even interpret such action, however wrongly, as tacit approval.

In this difficult time, when crucial decisions are being made throughout the State's governing structure concerning higher education, it is essen-

(Continued on page 7)

Santa Barbara says Senate weak on academic freedom

"The final consensus of the committee is that the structure and procedures of the Academic Senate are inadequate for the protection of academic freedom."

This conclusion was based on the committee's attempts, over a two-year period, to deal with the complaints of several faculty members that their academic freedom had been infringed in the handling of their personnel cases. The committee noted the refusal of the UCSB administration to provide access to confidential files and a ruling by the Committee on Rules and Jurisdictions forbidding the Academic Freedom Committee from investigating individual cases.

(From the 1975 annual report of the Committee on Academic Freedom, Santa Barbara division, Academic Senate, May 7, 1975).

Starsky dismissed

FBI tries the poison pen technique

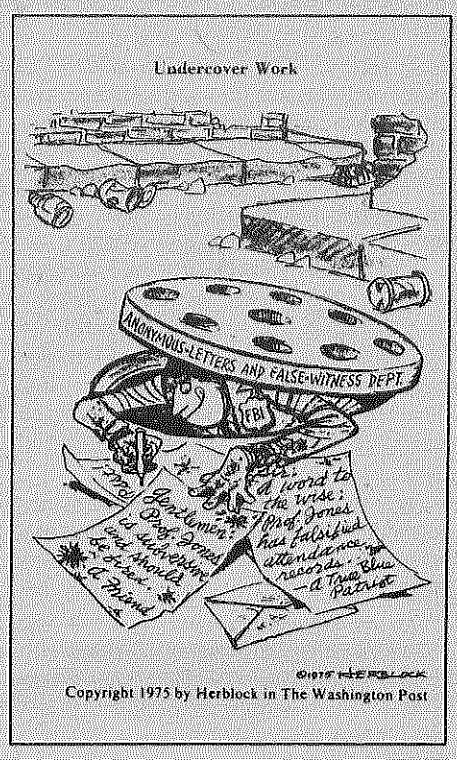
How many faculty members have been the subject of smear letters written by the FBI? asked a *New York Times* editorial in commenting on the dismissal of Professor Morris Starsky of Arizona State University.

Dr. Starsky was dismissed by the Arizona State Board of Regents in June, 1970. FBI officials in Phoenix sent an anonymous letter signed "A Concerned ASU Alumnus" to a university faculty committee which was to hear charges calling for his dismissal. The letter contained false statements about Dr. Starsky's personal conduct.

The committee's final report was critical of Dr. Starsky in several respects, but did not find dismissal warranted. The state Board of Regents, however, then proceeded on its own initiative to dismiss Professor Starsky.

Documents which brought the FBI's "counterintelligence" activities against Professor Starsky to light were released in February by the then Attorney General, William B. Saxbe, after Dr. Starsky appealed for them under the terms of the Freedom of Information Act.

The New York Times found the FBI's action outrageous and completely unjustified: "Denials by a spokesman for the Regents of any link between the poison-pen letters and the firing are irrelevant to any appraisal of the FBI action . . . What matters is that the Bureau appears to have engaged in an illegal and despicable act of faceless persecution and slander. . . . But beyond one professor's right to practice lurks the question of how many more dissident faculty members may have been similar targets. Dr. Starsky was, by all accounts, hardly a figure of great personal influence or national visibility. If the FBI found it necessary to take 'counterintelligence' action against him, it is reasonable to suspect that his case may not have been unique."



Professor William W. Van Alstyne, AAUP President, called for the dismissal of FBI officials who engaged in the "sleazy and surreptitious campaigns of harassment" to destroy Dr. Starsky's academic career.

Professor Van Alstyne asked the U. S. Attorney General, "at once to take every step necessary to insure that dismissal proceedings are brought against any person still within the FBI connected with this reprehensible episode, to provide enforceable assurances that the FBI will be controlled in a manner precluding the possibility of such abuses in the future and to provide by public statement the basis upon which the people of this country can believe that they are genuinely protected from the abuse of their liberties by their own national police.

"It was to protect our civil liberties, rather than to have them subverted by sleazy and surreptitious campaigns of FBI harassment, that the taxpayers and citizens of this country accepted the expense and intrinsic hazard of this national police agency. If we are to have an FBI at all, clearly we cannot have it this way."

Thus far neither U. S. Attorney General Edward Levi nor FBI Director Clarence Kelley have given assurances that the FBI would cease such activities, or that the FBI agents who wrote the letters would be disciplined.

Dr. Starsky has sued in federal court for reinstatement. The U. S. District Court, Arizona District, found that his constitutional rights, including rights reflected in the 1940 AAUP *Statement of Principles*, had been violated. The ASU Board of Trustees appealed to the U.S. Court of Appeals, which reviewed the case and issued a decision reaffirming Dr. Starsky's rights. The case now returns to the District Court for further proceedings.

State Court bans snooping on UC campuses

The state Supreme Court on March 24 unanimously held that police officers cannot pose as students to compile intelligence reports. The court said, in the absence of a "compelling state interest," such undercover activity violates state and federal guarantees of freedom of speech.

In addition, the court ruled such surveillance violates the state's constitutional amendment on privacy passed by the voters in 1972.

The Supreme Court ruling was handed down in a case arising from UCLA history Professor Hayden V. White's attempt to obtain a court order preventing Los Angeles Police Chief Edward M. Davis from using public funds to pay for alleged intelligence surveillance in classrooms and at campus organizational meetings.

White's suit was dismissed in Los Angeles Superior Court but was subsequently appealed to the state Supreme Court where police attorneys contended the alleged surveillance is no different from other routine court-sanctioned undercover practices.

White held that LAPD officers attended classes as UCLA students, submitted reports on class discussions and joined university-recognized organizations to file reports for police dossiers on private and public meetings.

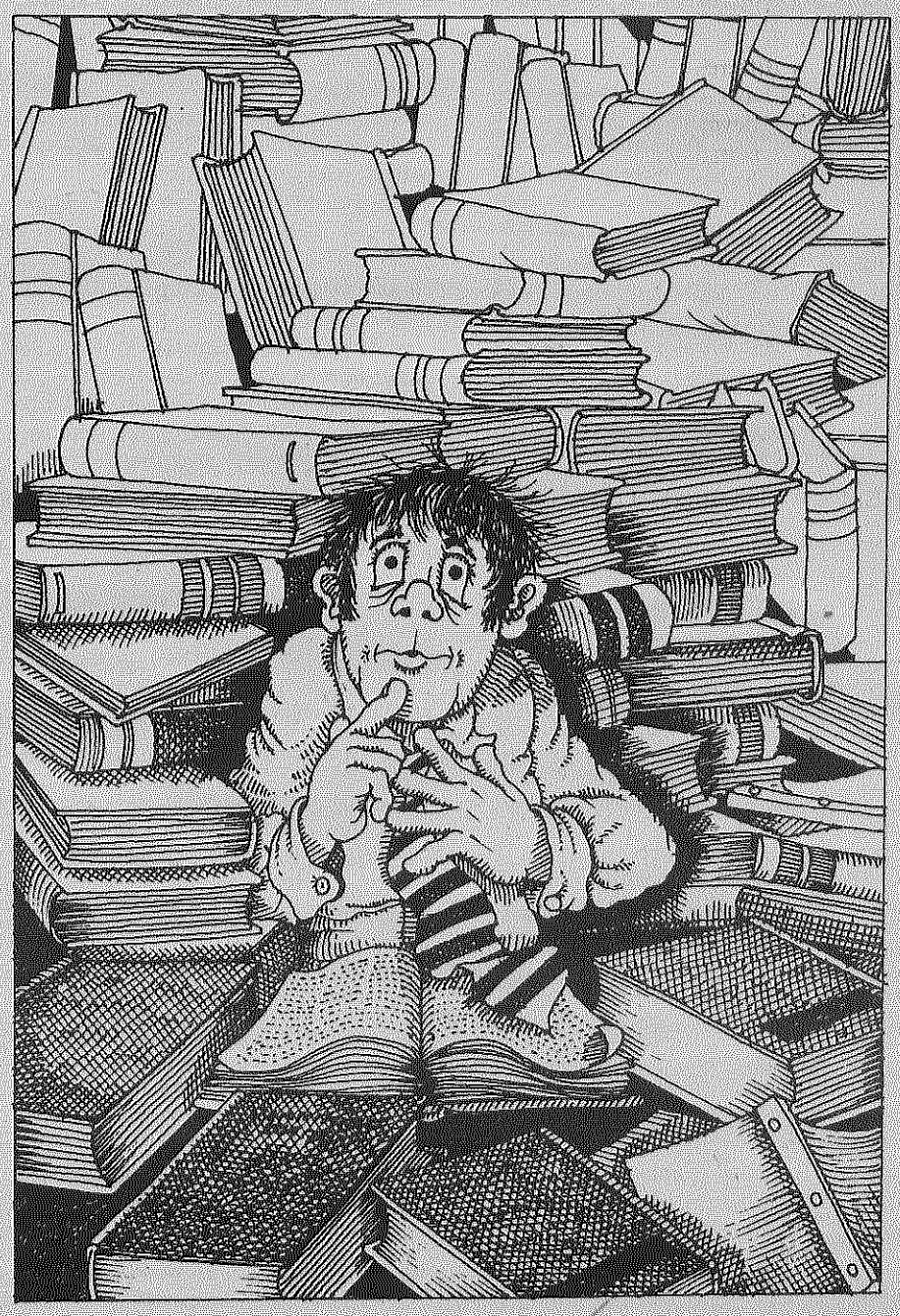
The high court ruling against the LAPD sends White's case back to the lower court for trial to determine if there is a compelling government interest to warrant intelligence interference with constitutional rights.

The Supreme Court held that the intelligence operations at issue in White's lawsuit were a "far cry" from the investigation of specific criminal activity, such as an undercover narcotics probe.

The Supreme Court ruling will remove the need for the AFT-sponsored legislation to outlaw snooping first introduced in 1971 by Assemblyman John J. Miller (D-Berkeley). The AFT bill would have made it a misdemeanor for "any person, in the exercise of law enforcement duties, to pose as a student at any state college or university." It would also make it illegal "for any student at a state college or university to engage in secret or undercover law enforcement duties at such a college or university."

The AFT had the bill introduced because of clear evidence that police officers, posing as students, were spying on professors and students in both classrooms and organization meetings at UCLA, Cal State Northridge and other college and university campuses.

Professor White was the chief witness before the Assembly Committee on Criminal Justice which heard the bill. The bill was defeated that year and in subsequent years because of unanimous opposition by law enforcement officials who lobbied and testified against the legislation.



Kevin Callahan

Santa Barbara rejects report

(*Continued from page 6*)

tial that clear indications of belief and policy be given; that no possibility for confusion of signals exists. We urge a conclusive demonstration that the essential thrust of the FINAL REPORT is clearly and distinctly disapproved by the faculty's highest agency, the Assembly of the Academic Senate. This does not mean that the planning process will cease. It will mean, instead, that the process will continue forward in the presence of clarified understandings as to the Senate's basic position.

REJECTION

Accordingly, we will propose that resolutions be formally rejected, rather than referred to committees, which call for the following:

1. A strengthening of the role of the University Administration in educational policy and academic planning for the University; that is, for enhanced centralization.
2. The transformation of campuses currently designated as "general campuses" into specialized status, involving a trimming away and formal delimitation of programs.
3. The establishment of a measure, quantitative or otherwise, indicating the "critical mass" necessary to maintain viable graduate or undergraduate instruction in particular academic fields.
4. Developing a list of minimum required ("basic") undergraduate programs for the campuses of the University.
5. The creation of "University" departments responsible for all instruction in given fields throughout the Unversity.

We urge, in their place, reaffirmation of the principle which has been so fruitful for the University of California and the people of the state, that each campus is encouraged to continue evolving as its own inner capabilities and aspirations incline it to do, subject to the oversight and approval of the President and the Board of Regents, and to the resources annually made available by the Governor and Legislature of the State of California.

Adopted: Santa Barbara Division
May 1, 1975

Anti-union proposal dropped

As the *University Guardian* goes to press, the UC Administration announced that a major anti-union proposal has been withdrawn from consideration at the June meeting of the Board of Regents.

The Hitch administration used to warn us of the dangers of the "industrial" model of collective bargaining on the University. Collegiality must be maintained, said Hitch, the Academic Senate protected and the faculty's role in governance preserved.

To demonstrate its commitment to these principles, the UC administration, last year, changed its Policy on Relations with Employee Organizations and defined department chairpersons as "management." As management, chairpersons could not represent UC employees in meetings with the administration.

The latest example of preserving collegiality appeared in a proposal which went to the May 1975 Regents meeting for action at the June meeting.

This was a modest proposal to change the rules of the UC Retirement System Governing Board so that "no member (of the Board) shall also be an officer of an employee organization representing University employees."

Robert Griffin, Executive Secretary of the Council of UC Faculty, Associations and Sam Bottone, Executive Secretary of the UC-AFT, sent a joint letter to the Regents criticizing this proposal.

The letter points out that this proposal is a violation of state law dealing with employer-employee relations in that it discriminates against employees in the exercise of their right to join and participate in activities of employee organizations.

It also points out that this policy affects the right of the Academic Senate to select its representatives on the UCRS Governing Board; and it should have been discussed in advance with the Senate before presentation to the Regents.

The Academic Council opposed the proposal and sent a strongly worded objection to President Hitch.

The proposal is not a new idea. Two years ago Vice President Angus Taylor objected to Professor David Feller's presence on the UCRC Governing Board. Feller was president of the Berkeley Faculty Association at that time. When Senate leaders did not support Taylor the matter was dropped until last month when it popped up again on the Regent's agenda.

Retirement system changes

(*Continued from page 1*)

The UC actuary calculated there is an unfunded actuarial liability of $193.9 million. The present value of benefits members may expect to be paid in the future is $2,140.8 million, or about 9% unfunded liability, as of July 1, 1974. This would require an additional 2.68% of salary to fund this actuarial liability.

Other actuaries who have looked at the UC system point out that the unfunded liability may be as high as $442 million since UCRS's current assets are $681 million and total actuarial liability is $1,122.9 million, or a 40% deficit.

It seems more realistic to view the unfunded liability as closer to the 9% figure. And even if it were some what higher than 9%, it does not mean that the present system is unsound. Retirees or those who may retire in the near future can expect benefits. The liability represents a legislative decision which left UCRS inadequately funded at its present benefit level. Such a political decision could be reversed by othe political decisions.

The UCRS consulting actuary's report shows that the UCRS benefit level is considerably below other systems which, in turn, are increasingly coordinated with Social Security.

COMPARISON

To illustrate how UC stacks up with other retirement programs, a comparison was made. The example was a UC employee who retired after 30 years of employment at a final salary of $15,000 and a final three year average salary of $14,300.

This calculation was based on a hypothetical participation in three competative programs: PERS, coordinated with Social Security; a representative plan based on seven large service oriented private employers in California; and a representative TIAA-CREF plan based on a program at six of the eight comparison universities used in the UC pay and benefit comparability studies.

The following yearly retirement income resulted in each system: UCRS, $9,867; PERS plus Social Security, $14,635; TIAA plus Social Security, $10,862; Private Industry, $11,332.

The employee contributions are higher in some of the other systems. However, if UCRS coordinates with Social Security, UC employee contributions will be higher, as will the benefits.

Right now UC employees pay 7.10% of gross salaries into UCRS; members of the Academic Senate contribute 3% less and the Regents pick up the difference. Under the proposal the UCRS Governing Board is considering, employees will pay 8.37%, or an additional 1.27%. The UC contribution will jump from 10.42% to 13.72%.

On the other hand benefits will increase significantly. For example, under the present system a UC employee retiring in 1986 at the age of 65 with 25 years of service would receive 57.5% of the average of the last three years of salary with or without an eligible spouse.

Under an integrated system, the same person with 15 years of employment after coordination would receive a benefit of 70%; and, if married, and depending upon income level, an additional amount equal to 7% to 14% of salary.

STATE FUNDING

Adequate state funding is a major problem in any coordination plan. Recently President Hitch pointed out that some of the future fringe benefits may have to be used to help UCRS coordinate funding with Social security.

The plan, which went to the UCRS Governing Board in May, projected a coordination date of April, 1976. Details of the proposals, however, have not been circulated throughout the University. The UC plan, and alternative plans, need to be closely examined in view of President Hitch's comments about future fringe benefits.

Should a major revamping of UCRS be taken up on the eve of collective bargaining? Certainly any plan that is not acceptable to UC employees will become a contentious issue when unilateral decision-making over personnel policies comes to an end.

Hassle on bargaining bill

(*Continued from page 1*)

the union proposal and other subjects of negotiations.

Once the Dills bill passed the Government Organization Committee it stopped dead. The bill has been amended five times since it was introduced on January 23, 1975, including the changes from last year's Moretti bill. Yet meetings continued to take place among union, management and legislative staff over other amendments. The most important of these defined supervisorial and higher education amendments. No agreements were reached.

The UC-AFT has supported amendments to protect the Academic Senate by excluding it from the definition of an employee organization. Another major interest is to assure that department chairpersons and principle investigators are not excluded from the right to representation.

In the meantime, organizations representing specific groups of public employers — teachers, firefighters, state civil service — became increasingly concerned over how the bill was being handled by Senator Dills and his staff. It was also becoming less certain that the bill could get through the Senate Finance Committee without a real push from Governor Brown, and the Governor had not taken a position on SB 275.

As a result a whole series of special collective bargaining bills was introduced in early April in time to clear the policy committee by May 15 (as required in the legislative rules for bills which are to go into effect on January 1, 1976).

The California Labor Federation, AFL-CIO, made a major effort to get a bill under sponsorship more attuned to the needs of public employees with the resurrection of AB 119. Originally introduced by Assemblyman (now Senator) Bill Greene (D-LA) as the last version of the Moretti bill, it is now carried by Assemblyman Julian Dixon (D-LA) and has been amended to be identical to SB 275. The prevalent opinion in Sacramento is that AB 119 will be the major vehicle for a comprehensive collective bargaining bill to cover all public employees, excluding transit.

LIABILITY

SB 275 became a liability because of its initial identification with the right to strike even though the right was very much limited. An additional difficulty was the Department of Finance early estimate that it would require $120 million of state expenditures merely to administer SB 275 in the first year and $170 million in the second year. Although the estimate was subsequently retracted, it created political problems for some legislators.

Governor Brown's lack of support has been a major problem. He has had a representative present at the discussions on amendments but it is widely recognized that he must offer active help (as he did in the farm labor and malpractice insurance legislation) to assure passage of the bill before the legislature adjourns in September.

A serious threat to a comprehensive bill will develop if some organizations start to push for bills limited to particular groups. One such bill is AB 1781 (Z'berg) introduced by the California State Employee Association (CSEA). This bill applies to state employees, including the UC and State University systems. It is not, however, a collective bargaining bill but would bring state employees under the Meyer-Milias-Brown Act which is only a meet-and-confer law, now applicable to city and county public employees.

The major problem with AB 1781, aside from the limited rights, is that it authorizes the Regents to establish an employer-employee relations policy just as city councils or boards of supervisors do in other jurisdictions. This was a key objective for the UC administration under SB 275. But the provision which would have permitted UC to write its own policy as long as it was in substantial compliance with the law, the so-called local jurisdiction option, was eliminated in SB 275.

The UC administration has already prepared a draft law, and it's the kind of policy that very much favors the administration. It would sharply limit the right to bargain, would define department chairpersons as management and set up election procedures designed to encourage a "no" vote by faculty in any representation election.

Notwithstanding the fundamental problem of giving the employer the right to set up the policies and procedures, CSEA seems to be placing more emphasis on AB 1781 than on a comprehensive bill. The main attraction for CSEA is that it permits unit determination elections and exclusive representation status for the winner, something not available under the meet-and-confer law which now covers UC and other state agencies. Sacramento observers have noted that CSEA seems to be primarily concerned over a rivalry with the American Federation of State, County and Municipal Employees to organize clerical employees in the state civil service. It therefore favors early elections for an exclusive representative even at the expense of winning the right to collective bargaining.

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